FILED
JUL 1 8 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8659

UNITED STATES OF AMERICA, Plaintiff, v. Andres GARCIA-Becerra Defendant.	Magistrate Case No.: COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about July 17, 2008, within the Southern District of California, defendant Andres GARCIA-Becerra did knowingly and intentionally import approximately 12.7 kilograms (27.94 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Felix J. Castaneda
Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th, DAY OF July 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA

v.

Andres GARCIA-Becerra

STATEMENT OF FACTS

This statement of facts is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Felix J. Castaneda.

On July 17, 2008 at approximately 1708 hours, Andres GARCIA-Becerra entered the United States at the Calexico, California, West Port of Entry. GARCIA was the registered owner and sole occupant driver of 2000 Dodge Ram.

GARCIA gave Primary Officer Pizano, a negative oral Customs declaration. Officer Pizano tapped the vehicle's tires and they sounded solid. CBPO Pizano escorted GARCIA and the vehicle to the vehicle secondary for further inspection.

In the vehicle secondary lot, Canine Officer Barroso screened the vehicle utilizing his Human Narcotic Detector Dog who alerted to the rear of the truck. GARCIA again gave a negative customs declaration in vehicle secondary.

A subsequent inspection of the vehicle revealed 22 packages in the spare tire of the vehicle. A package was probed extracting a green leafy substance which field tested positive for the presence of marijuana. The 22 packages had a combined net weight of approximately 12.7 kilograms (27.94 pounds).

GARCIA was placed under arrest and advised of his Constitutional Rights, which he acknowledged. GARCIA stated to Agent Castaneda he was going to be paid $800.00 for smuggling the marijuana into the United States.